

09/763292

02 Rec'd PCT/PTO 21 FEB 2001

Patent

Attorney's Docket No. 000500-285

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of)

Dan HAUZENBERGER)

Application No.: Unassigned)

Filed: February 21, 2001)

For: A METHOD FOR MEASURING A)
 PATIENT'S ABILITY TO)
 METABOLIZE CERTAIN DRUGS (as)
 amended)

Group Art Unit: Unassigned

Prior Examiner: Unassigned

INFORMATION DISCLOSURE STATEMENT
TRANSMITTAL LETTER

Assistant Commissioner for Patents
 Washington, D.C. 20231

Sir:

Enclosed is an Information Disclosure Statement and accompanying form PTO-1449 for the above-identified patent application.

- ☒ No additional fee for submission of an IDS is required.
- ☐ The fee of \$180.00 (126) as set forth in 37 C.F.R. § 1.17(p) is also enclosed.
- ☐ A certification under 37 C.F.R. § 1.97(e) is also enclosed.
- ☐ A certification under 37 C.F.R. § 1.97(e), and the fee of \$180.00 (126) as set forth in 37 C.F.R. § 1.17(p) are also enclosed.
- ☐ Charge \$_____ to Deposit Account No. 02-4800 for the fee due.
- ☐ A check in the amount of \$_____ is enclosed for the fee due.

The Commissioner is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17 and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800. This paper is submitted in duplicate.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

By: 

Donna M. Meuth

Registration No. 36,607

P.O. Box 1404
 Alexandria, Virginia 22313-1404
 (703) 836-6620

Date: February 21, 2001

**TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371**

000500-285

U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.51)

To be assigned

09/763292

INTERNATIONAL APPLICATION NO.
PCT/SE99/01449 ✓INTERNATIONAL FILING DATE
25 August 1999 ✓PRIORITY DATE CLAIMED
28 August 1998 ✓

TITLE OF INVENTION

A METHOD FOR MEASURING A PATIENT'S ABILITY TO METABOLISE CERTAIN DRUGS ✓

APPLICANT(S) FOR DO/EO/US

Dan HAUZENBERGER ✓

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This is an express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and the PCT Articles 22 and 39(1).
- ☒ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
- ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
- a. ☐ is transmitted herewith (required only if not transmitted by the International Bureau).
- b. ☒ has been transmitted by the International Bureau.
- c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
- ☐ A translation of the International Application into English (35 U.S.C. 371(c)(2)).
- ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
- a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
- b. ☐ have been transmitted by the International Bureau.
- c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
- d. ☒ have not been made and will not be made.
8. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11. to 16. below concern other document(s) or information included:

11. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A **FIRST** preliminary amendment.
- ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
14. ☐ A substitute specification.
15. ☐ A change of power of attorney and/or address letter.
16. ☒ Other items or information:

Published PCT International Application (WO 00/12757) w/ Amended Claims
Sequence Listing (hard copy & computer readable diskette)
IPER

Letter to WIPO regarding change of applicant's name (filed February 2, 2001)

U.S. APPLICATION NO. (If known) <u>09/103292</u> To be assigned	INTERNATIONAL APPLICATION NO. PCT/SE99/01449	ATTORNEY'S DOCKET NUMBER 000500-285
--	---	--

17. ☒ The following fees are submitted:

CALCULATIONS

PTO USE ONLY

Basic National Fee (37 CFR 1.492(a)(1)-(5)):

Neither international preliminary examination fee (37 CFR 1.482)
nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO
and International Search Report not prepared by the EPO or JPO \$1,000.00 (960)

International preliminary examination fee (37 CFR 1.482) not paid to
USPTO but International Search Report prepared by the EPO or JPO \$860.00 (970)

International preliminary examination fee (37 CFR 1.482) not paid to USPTO
but international search fee (37 CFR 1.445(a)(2)) paid to USPTO \$710.00 (958)

International preliminary examination fee paid to USPTO (37 CFR 1.482)
but all claims did not satisfy provisions of PCT Article 33(1)-(4) \$690.00 (956)

International preliminary examination fee paid to USPTO (37 CFR 1.482)
and all claims satisfied provisions of PCT Article 33(1)-(4) \$100.00 (962)

ENTER APPROPRIATE BASIC FEE AMOUNT =

\$ 1,000.00

Surcharge of \$130.00 (154) for furnishing the oath or declaration later than
months from the earliest claimed priority date (37 CFR 1.492(e)). 20 ☐ 30 ☒

\$ 130.00

Claims	Number Filed	Number Extra	Rate		
Total Claims	18 - 20 =	0	0 X \$18.00 (966)	\$	
Independent Claims	8 - 3 =	5	5 X \$80.00 (964)	\$	400.00
Multiple dependent claim(s) (if applicable)			+ \$270.00 (968)	\$	

TOTAL OF ABOVE CALCULATIONS =

\$ 1,530.00

Reduction for 1/2 for filing by small entity, if applicable (see below).

\$

SUBTOTAL =

\$ 1,530.00

Processing fee of \$130.00 (156) for furnishing the English translation later than
months from the earliest claimed priority date (37 CFR 1.492(f)). 20 ☐ 30 ☐

\$

+

TOTAL NATIONAL FEE =

\$ 1,530.00

Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by
an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 (581) per property +

\$

TOTAL FEES ENCLOSED =

\$ 1,530.00

Amount to be:
refunded \$

charged \$

- a. ☐ Small entity status is hereby claimed.
- b. ☒ A check in the amount of \$ 1,530.00 to cover the above fees is enclosed.
- c. ☐ Please charge my Deposit Account No. 02-4800 in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed.
- d. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 02-4800. A duplicate copy of this sheet is enclosed.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

Ronald L. Grudziecki
BURNS, DOANE, SWECKER & MATHIS, L.L.P.
P.O. Box 1404
Alexandria, Virginia 22313-1404
(703) 836-6620

SIGNATURE

Donna M. Meuth

NAME

36,607

REGISTRATION NUMBER

February 21, 2001

patent application serial no.

09/763292

Department of Commerce
Patent and Trademark Office
fee record

02/26/2001 LLANDGRA 00000017 09763292

01 FC:960	1000.00	OP
02 FC:154	130.00	OP
03 FC:964	400.00	OP